

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

WILEY BAXTER GOLDEN,

Defendant.

CASE NO. 2:92-CR-00371-MJP

ORDER ON MOTION FOR RELIEF
FROM FINANCIAL OBLIGATION

The Court, having received and reviewed:

1. Defendant's Motion for Relief from Financial Obligation (Dkt. No. 43)
2. United States' Response to Defendant's Motion (Dkt. No. 46)

and all attached declarations and exhibits, makes the following ruling:

IT IS ORDERED that the motion is DENIED.

The Court does not believe it has the jurisdictional authority to modify a restitution order contained in a final judgment. "It would be simply irrational to conclude that a district court has the authority to remit restitution orders that Congress has said must be mandatorily imposed:

1 such authority would nullify the force and effect of the [Mandatory Victims Restitution Act].
2 U.S. v. Roper, 462 F.3d 336, 338 (4th Cir. 2006).

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4 The clerk is ordered to provide copies of this order to Defendant and counsel.

5 Dated March 15, 2011.

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9 Marsha J. Pechman
10 United States District Judge
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